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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,990	02/26/2004	Hiroshi Yokouchi		2655
24956	7590	06/13/2007		
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.			EXAMINER	
1800 DIAGONAL ROAD			CHANNAVAJJALA, SRIRAMA T	
SUITE 370				
ALEXANDRIA, VA 22314			ART UNIT	PAPER NUMBER
			2166	
			MAIL DATE	DELIVERY MODE
			06/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/785,990	YOKOUCHI, HIROSHI
	Examiner Srirama Channavajjala	Art Unit 2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 27 March 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 29-48 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 29-48 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

DETAILED ACTION

Response to Amendment

1. **New Claims 29-48** is presented for examination as filed on **3/27/2007**.
2. Claims 15-28 have been cancelled [3/27/2007].
3. Claims 1-14 have been cancelled [2/26/2004].

Drawings

4. The Drawings filed on 11/24/2003 are acceptable for examination purpose

Information Disclosure Statement

5. The information disclosure statement filed on **2/26/2004**, is in compliance with the provisions of 37 CFR 1.97, and has been considered and a copy was enclosed with previous Office Action mailed on 8/10/2006.

Priority

6. Acknowledgment is made of applicant's claim for foreign priority based on Japan Patent Application No. 2000-294551 filed on 27 September 2000 under 35 U.S.C. 119(a)-(d)

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. ***Claims 29-48 are rejected under 35 U.S.C. 101 because invention is directed to non-statutory subject matter.***

As set forth in MPEP 2106(II)A:

Identify and understand Any Practical Application Asserted for the Invention. The claimed invention as a whole must accomplish a practical application. That is, it must produce a “useful, concrete and tangible result.” State Street, 149 F.3d at 1373, 47USPQ2d at 1601-02. The purpose of this requirement is to limit patent protection to inventions that possess a certain level of “real world” value, as opposed to subject matter that represents nothing more than an idea or concept, or is simply a starting point for future investigation or research (Brenner v. Manson, 383 U.S. 519, 528-36, 148 USPQ 689, 693-96); In re Ziegler, 992, F.2d 1197, 1200-03, 26 USPQ2d 1600, 1603-06 (Fed. Cir. 1993)). Accordingly, a complete disclosure should contain some indication of the practical application for the claimed invention, i.e., why the applicant believes the claimed invention is useful.

Apart from the utility requirement of 35 U.S.C. 101, usefulness under the patent eligibility standard requires significant functionality to be present to satisfy the useful result aspect of the practical application requirement. See Arrhythmia, 958 F.2d at 1057, 22 USPQ2d at 1036. Merely claiming nonfunctional descriptive material stored in a

computer-readable medium does not make the invention eligible for patenting.

*For example, a claim directed to a word processing **file stored on a disk may satisfy the utility requirement** of 35 U.S.C. 101 since the information stored may have some **“real world”** value. However, the mere fact that the claim may satisfy the utility requirement of 35 U.S.C. 101 does not mean that a useful result is achieved under the practical application requirement. **The claimed invention as a whole must produce a “useful, concrete and tangible” result to have a practical application.***

8. Regarding claim 29, “A replication system for managing a plurality of master databases and a replica database generated from said plurality of master databases, comprising:

a means for correlating a plurality of master database names, a name of the replica database generated from said plurality of master databases by join operations based on predetermined joining keys, joining keys used in said join operations, and timing conditions setting timings at which replications of data are performed to the replica database from the master databases, with each other to thereby generate and store replication control information;

a means for, in response to reception of a data operation request for a data operation to an operated record stored in a first one of said master databases, storing identification information of the operated record to correlate the identification information with the master database name of the first master database on which the data operation request has been operated;

a means for determining whether a processing result of the data operation request meets the timing conditions;

a means for, when the timing conditions are met, acquiring the master database name of the first master database on which said data operation request has been operated, one of said stored joining keys corresponding to said timing conditions, and a second master database name of a second master database and the replica database name to tie joined by the joining key from the replication control information;

a means for referring to said stored operation information to acquire the operated record subject to the data operation, said operated record belonging to the first master database on which the data operation has been made based on the data operation request;

a means for performing a joining processing with respect to said operated record subject to the data operation and said second master database to be joined using said joining key; and

a means for reflecting a replica database record generated by the joining processing to said replica database to implement to said replica database the data operation based on said data operation request"

is directed to "abstract idea" because all of the elements in the claim 29, would reasonably be interpreted by one of ordinary skill in light of the disclosure at page 7, line 15-28, page 8-13, page 15-18 as software, such that the steps in "replication system for managing a plurality of master databases and a replica database generated from said plurality of master databases and their steps" is software, per se , is "non-

statutory subject matter" and **claim 29** does not have "practical application" because the "final result" by the claimed invention in the claim 29 elements particularly "a means for, when the timing conditions are met, acquiring the master database name of the first master database on which said data operation request has been operated, one of said stored joining keys corresponding to said timing conditions, and a second master database name of a second master database and the replica database name to tie joined by the joining key from the replication control information; "a means for performing a joining processing with respect to said operated record subject to the data operation and said second master database to be joined using said joining key; and a means for reflecting a replica database record generated by the joining processing to said replica database to implement to said replica database the data operation based on said data operation request" is not producing "useful, tangible and concrete" and therefore, claim 29, but merely performing joining processing with respect to operated record subject to the data operation is a non-statutory subject matter.

The claimed invention is subject to the test of State Street, 149 F.3d at 1373-74, 47 USPQ2d at 1601-02. Specifically State Street sets forth that the claimed invention must produce a "**useful, concrete and tangible result.**" The **Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility** states in section IV C. 2 b. (2) (on page 21 in the PDF format):

The tangible requirement does not necessarily mean that a claim must either be tied to a particular machine or apparatus or must operate to change articles or materials to a different state or thing. However, the tangible requirement does

require that the claim must recite more than a § 101 judicial exception, in that the process claim must set forth a practical application of that § 101 judicial exception to produce a real-world result. Benson, 409 U.S. at 71-72, 175 USPQ at 676-77 (invention ineligible because had "no substantial practical application.").

If, Claims 29, have the result of producing "real-world" results related to "*a means for, when the timing conditions are met, acquiring the master database name of the first master database on which said data operation request has been operated, one of said stored joining keys corresponding to said timing conditions, and a second master database name of a second master database and the replica database name to tie joined by the joining key from the replication control information; a means for performing a joining processing with respect to said operated record subject to the data operation and said second master database to be joined using said joining key; and a means for reflecting a replica database record generated by the joining processing to said replica database to implement to said replica database the data operation based on said data operation request*" however the claim[s] do not specify that the result neither *output, displayed or at least stored for further useful to a user in the real world, but merely performing joining processing with respect to operated record subject to the data operation joining records of matched join keys.*

The examiner reviewed the specification page 7, line 15-28, page 8-13, page 15-18 but was unable to find a practical real-world use of the result ("*a means for, when the timing conditions are met, acquiring the master database name of the first master database on which said data operation request has been operated, one of said stored*

joining keys corresponding to said timing conditions, and a second master database name of a second master database and the replica database name to tie joined by the joining key from the replication control information; "a means for performing a joining processing with respect to said operated record subject to the data operation and said second master database to be joined using said joining key; and a means for reflecting a replica database record generated by the joining processing to said replica database to implement to said replica database the data operation based on said data operation request".

If the applicant is able to find one and inserts it into the claims provide the location the element is found in the specification

The claims 30-32, dependent from claim 29 is also rejected in the above analysis.

9. Regarding Claim 33,41, "A replication method for managing a plurality of master databases and a replica database generated from said plurality of master databases, comprising:

correlating a plurality of master database names, a name of the replica database generated from said plurality of master databases by join operations based on predetermined joining keys, joining keys used in said join operations, and timing conditions setting timings at which replications of data are performed to the replica database from the master databases, with each other to thereby generate and store replication control information;

in response to reception of a data operation request for a data operation to an operated record stored in a first one of said master databases, storing identification information of the operated record to correlate the identification information with the master database name of the first master database on which the data operation request has been operated;

determining whether a processing result of the data operation request meets the timing conditions;

when the timing conditions are met, acquiring the master database name of the first master database on which said data operation request has been operated, one of said stored joining keys corresponding to said timing conditions, and a second master database name of a second master database and the replica database name to be joined by the joining key from the replication control information;

referring to said stored operation information to acquire the operated record subject to the data operation, said operated record belonging to the first master database on which the data operation has been made based on the data operation request;

performing a joining processing with respect to said operated record subject to the data operation and said second master database to be joined using said joining key; and

reflecting a replica database record generated by the joining processing to said replica database to implement to said replica database the data operation based on said data operation request.

is directed to "abstract idea" because all of the elements in the claim 29, would reasonably be interpreted by one of ordinary skill in light of the disclosure at page 7, line 15-28, page 8-13, page 15-18 as software, such that the steps in "replication system for managing a plurality of master databases and a replica database generated from said plurality of master databases and their steps" is software, *per se*, is "non-statutory subject matter" and **claim 33,41**, does not have "practical application" because the "final result" by the claimed invention in the claim 33,41 elements particularly "when the timing conditions are met, acquiring the master database name of the first master database on which said data operation request has been operated, one of said stored joining keys corresponding to said timing conditions, and a second master database name of a second master database and the replica database name to be joined by the joining key from the replication control information;

performing a joining processing with respect to said operated record subject to the data operation and said second master database to be joined using said joining key; and

reflecting a replica database record generated by the joining processing to said replica database to implement to said replica database the data operation based on said data operation request", and therefore, **claim 33,41** but merely performing joining processing with respect to operated record subject to the data operation is a non-statutory subject matter.

The claimed invention is subject to the test of State Street, 149 F.3d at 1373-74, 47 USPQ2d at 1601-02. Specifically State Street sets forth that the claimed invention

must produce a ***"useful, concrete and tangible result."*** The **Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility** states in section IV C. 2 b. (2) (on page 21 in the PDF format):

The tangible requirement does not necessarily mean that a claim must either be tied to a particular machine or apparatus or must operate to change articles or materials to a different state or thing. However, the tangible requirement does require that the claim must recite more than a § 101 judicial exception, in that the process claim must set forth a practical application of that § 101 judicial exception to produce a real-world result. Benson, 409 U.S. at 71-72, 175 USPQ at 676-77 (invention ineligible because had "no substantial practical application.").

If, Claims 33,41, have the result of producing "real-world" results related to "when the timing conditions are met, acquiring the master database name of the first master database on which said data operation request has been operated, one of said stored joining keys corresponding to said timing conditions, and a second master database name of a second master database and the replica database name to be joined by the joining key from the replication control information;

performing a joining processing with respect to said operated record subject to the data operation and said second master database to be joined using said joining key; and

reflecting a replica database record generated by the joining processing to said replica database to implement to said replica database the data operation based on said data operation request" however the claim[s] do not specify that the result neither *output, displayed or at least stored for further useful to a user in the real world, but*

merely performing joining processing with respect to operated record subject to the data operation joining records of matched join keys.

The examiner reviewed the specification page 7, line 15-28, page 8-13, page 15-18 but was unable to find a practical real-world use of the result ("when the timing conditions are met, acquiring the master database name of the first master database on which said data operation request has been operated, one of said stored joining keys corresponding to said timing conditions, and a second master database name of a second master database and the replica database name to be joined by the joining key from the replication control information;

performing a joining processing with respect to said operated record subject to the data operation and said second master database to be joined using said joining key; and

reflecting a replica database record generated by the joining processing to said replica database to implement to said replica database the data operation based on said data operation request").

If the applicant is able to find one and inserts it into the claims provide the location the element is found in the specification

The claims 34-40,42-48, dependent from claim 33,41 is also rejected in the above analysis.

Claim Rejections - 35 USC § 112

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claims 29-48 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

12. The metes and bound of the system steps of claim 29 are unclear. In claim 29, the steps of system do not actually replicate database from "master databases", but merely "replications of data" formed. The steps of "a means for, in response to reception of a data operation...", "a means for determining...", "a means for, when the timing conditions...", "a means for referring to ..." are indefinite as they lack concrete active limitations as to how the steps are to be accomplished. One of skill in the art would not be able to determine particularly "timing conditions" what exactly must be done to accomplish the goal of the preamble. It is unclear how the "joining keys corresponding to timing conditions", without defining "timing conditions", further, it is unclear how "joining processing with respect to operated record subject to the data operation" without defining "operated record".

Further, in claim 29, Applicant appears to be invoking 112, sixth paragraph "a means for" type language, but it is unclear what structure[s] is being used to perform the function. No particular structure[s] is identified in the specification that would perform the function. The claim 29 does or doesn't require any hardware, software,

input, ouput etc., along with "databases"? The claim merely require" managing master databases" and "replica database". One of skill in the art would not be apprise of what structure[s] are intended to be encompassed by the claim[s]. Nor would it be clear what the structure[s] are intended to accomplish.

13. Claims 30-32, do not recite the "means for" language, further without having specific structure[s] in the specification for implementing the functions

14. Claim 33 is drawn to "method" steps do not actually replicate database from "master databases", but merely "replications of data" formed. The steps of " in response to reception of a data operation...", "" determining....", "" when the timing conditions...", "referring to ..." are indefinite as they lack concrete active limitations as to how the steps are to be accomplished. One of skill in the art would not be able to determine particularly "timing conditions" what exactly must be done to accomplish the goal of the preamble. It is unclear how the "joining keys corresponding to timing conditions", without defining "timing conditions", further, it is unclear how "joining processing with respect to operated record subject to the data operation" without defining "operated record".

15. The limitation of claim 34,42, do not appear to be a further process step and does not appear to further limit the method of claim 33. It is unclear what "timing information" means, the "timing information" is not been defined anywhere.

16. It is unclear where to add the limitations of claim 35,43, to the method of claim 33. It is unclear which "same joining key" referring to "replication".
17. In the claim 36, 44, the limitation of claim 36, do not appear to be a further process step and does not appear to further limit the method of claim 34. It is unclear what "timing information" means, the "timing information" is not been defined anywhere.
18. The limitation of claim 37,45, do not appear to be a further process step and does not appear to further limit the method of claim 34 . It is unclear what "timing information" means, the "timing information" is not been defined anywhere, further appears that "data insertion" for any one of plurality of master databases without any valid condition[s].
19. The limitation of claim 38,46, do not appear to be a further process step and does not appear to further limit the method of claim 34. It is unclear what "timing information" means, the "timing information" is not been defined anywhere, further appears that "data deletion" for primary database without any valid condition[s].
20. The limitation of claim 39,47 do not appear to be a further process step and does not appear to further limit the method of claim 34. It is unclear what "timing information" means, the "timing information" is not been defined anywhere, further appears that "data deletion" operation is done without any valid condition[s].

21. The limitation of claim 40,48, do not appear to be a further process step and does not appear to further limit the method of claim 34 . It is unclear what "timing information" means, the "timing information" is not been defined anywhere, further appears that "data deletion" operation is done without any valid condition[s].

22. Claims 41-48 are drawn to computer readable medium do not have "instructions", and doesn't define "computer readable medium" in the specification. As noted above, the method themselves remain indefinite for the reasons set forth above, claims 41-48 also rejected in the above analysis.

Claim Rejections - 35 USC § 102

23. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

24. ***Claims 29-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Souder et al. [hereafter Souder], US Patent No. 6532479, based provisional application No. 60/086,985 filed on May 28, 1998.***

25. As to claim 29,33,41, "Souder teaches a system which including 'a replication system for managing a plurality of master databases and a replica database generated from said plurality of master databases' {see Abstract, col 1, line 57-60, 61-67], Souder directed to "replication system", more specifically replication in "distributed database system" employing "snapshots", further snapshot is defined by a query that refers "multiple master tables" as detailed in col 1, line 65-67, therefore, multiple master tables are part of master databases;

a means for correlating a plurality of master database names [col 2, line 34-39], plurality of master database names corresponds to relational database master tables element 1212, 1214, 'a name of the replica database generated from said plurality of master databases by join operations based on predetermined joining keys, joining keys

used in said join operations' [col 11, line 23-31], Souder specifically teaches defining unique keys for example site_id assigned and uniquely corresponds to each site_name 301, further relational database schema defines various tables for example data dictionary table, Snap_reftimes table that maintains timestamps and like corresponds to predetermined keys; 'timing conditions setting timings at which replications of data are performed to the replica database from the master databases, with each other to thereby generate and store replication control information' [col 11, line 45-50], Souder specifically teaches data dictionary table specifically defines and maintains "timestamps" related to replication operations as detailed in col 11, line 45-50;

'a means for, in response to reception of a data operation request for a data operation to an operated record stored in a first one of said master databases' [col 2, line 66-67, col 3, line 1-8, col 4, line 65-67, fig 2], Souder specifically teaches various data operations particularly, maintaining same "relational database" both in the client and server side as detailed in fig 2; 'storing identification information of the operated record to correlate the identification information with the master database name of the first master database on which the data operation request has been operated' [col 3, line 14-19, col 9, line 64-67, col 10, line 1-16], Souder specifically teaches master site in both client and server database responsible for storing and retrieving data operations from relational database, particularly, identifying specific data from master table element 214 related to customer and orders as detailed in col 10, line 10-16;

'a means for determining whether a processing result of the data operation request meets the timing conditions' [col 11, line 45-46], Souder specifically teaches

defining "snap_reftimes" that maintains "timestamps" associated with each master table replication or snapshot;

"a means for, when the timing conditions are met, acquiring the master database name of the first master database on which said data operation request has been operated, one of said stored joining keys corresponding to said timing conditions' [col 11, line 50-58], Souder specifically teaches snapshot replication uniquely identifies snaptimes and verifies successful refresh time for a snapshot as detailed in col 50-58; 'and a second master database name of a second master database and the replica database name to tie joined by the joining key from the replication control information' [col 11, line 59-65], Souder further teaches snapshot columns with master table columns particularly with respect to correlated to site_id element 302 corresponds to uniquely identified key of the replication control information;

'a means for referring to said stored operation information to acquire the operated record subject to the data operation, said operated record belonging to the first master database on which the data operation has been made based on the data operation request' [col 12, line 8-16, line 30-34],

'a means for performing a joining processing with respect to said operated record subject to the data operation and said second master database to be joined using said joining key' [col 12, line 41-46], Souder specifically teaches each object in the replication or snapshot is identified by a unique key and respective correlated to site_id

'a means for reflecting a replica database record generated by the joining processing to said replica database to implement to said replica database the data

operation based on said data operation request' [col 13, line 13-20], Souder specifically teaches replication definition query for multiple sites for example snapshot definition query templates for various groups in order to maintain consistency of replication.

26. As to claim 30, Souder teaches 'a replication system according to claim 29, wherein each said master database is a database associated with a relational database or a hierachic database' [col 3, line 15-19, fig 2].

27. As to claim 31, Souder disclosed 'a replication system according to claim 29, wherein when said data operation is data insertion or data deletion to any or all of said master databases' [col 3, line 61-65], 'a particular timing condition is selected from a plurality of the timing conditions to conduct a predetermined replication to thereby conduct replication to the replica database' [col 3, line 65-67, col 4, line 1-5].

28. As to claim 32, Souder disclosed 'a replication system according to claim 31, wherein for a particular master database in which data has not been inserted, particular data indicating absence of data is set in place of absent data of the particular master database to thereby conduct the predetermined replication' [col 13, line 46-49].

29. As to claim 34, 42, Souder disclosed 'a replication method according to claim 33, 41, wherein said replica database is operated further according to timing information to conduct a replication contained in a replication control database' [col 11, line 45-46, line 50-58].

30. As to claim 35,43, Souder disclosed 'wherein said timing information to conduct a replication indicates that for data having a same joining key in the plurality of master databases, when insertion is conducted in all said master databases, data corresponding to the data is inserted in the replica database' [col 18, line 22-30, col 19, line 59-63]..

31. As to claim 36, 44, Souder disclosed 'wherein said timing information to conduct a replication indicates that among the plurality of master databases, a primary database is determined, and when data insertion is conducted for the primary database, data corresponding to the data is inserted in the replica database' [col 20, line 61-67, col 21, line 1-2]..

32. As to claim 37,45, Souder disclosed 'wherein said timing information to conduct a replication indicates that when data insertion is conducted for any one of the plurality of master databases, data corresponding to the data is inserted in the replica database' [col 13, line 44-50].

33. As to claim 38,46, Souder disclosed 'wherein said timing information to conduct a replication indicates that for data having a same joining key in the plurality of master databases, when deletion is conducted in all said master databases, data corresponding to the data is deleted from the replica database' [col 16, line 43-49].

34. As to claim 39,47, Souder disclosed 'wherein said timing information to conduct a replication indicates that among the plurality of master databases, a primary database is determined, and when data deletion is conducted for the primary database, data corresponding to the data is deleted from the replica database' [col 17, line 61-68].

35. As to claim 40,48, Souder disclosed 'wherein said timing information to conduct a replication indicates that when data having a same joining key stored in the plurality of master databases is deleted, data deletion is conducted for the replica database in association with data having the same joining key' [col 20, line 11-19]

Response to Arguments

36. Applicant's arguments at page 12-15, with respect to claims 15-28 have been considered but are moot in view of the applicant canceled claims 15-28 and further, ***added new claims 29-48 [3/27/2007] and rejected under 35 U.S.C. 102(e) as being anticipated by Souder et al. US Patent No. 6532479, based provisional application No. 60/086,985 filed on May 28, 1998*** new ground(s) of rejection as detailed above.

Conclusion

The prior art made of record

a. US Patent.No. 6532479

37. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is 571-272-4108. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, T, can be reached on (571) 272-3978. The fax phone numbers for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

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Patent Examiner.
June 8, 2007.


SRIRAMA CHANNAVAJJALA
PRIMARY EXAMINER